

**WILLIAMSBURG PLANNING COMMISSION
MINUTES
Wednesday, April 20, 2005**

The regular monthly meeting of the Williamsburg Planning Commission was held on Wednesday, April 20, 2005, at 3:30 p.m. in the Council Chambers at the Stryker Building, 412 North Boundary Street.

CALL TO ORDER and ATTENDANCE

Chairman Young called the meeting to order. Present in addition to Mr. Young were Commissioners Pons, Hertzler and Rose. Commissioners Friend, McBeth and Smith were absent. Also present were Planning Director Nester, City Attorney Phillips, Zoning Administrator Murphy and Secretary Scott.

MINUTES

Mr. Hertzler moved that the minutes of the March 16 meeting be approved. Mr. Pons seconded the motion which carried by roll call vote of 4-0.

Recorded vote on the motion:

Aye:	Hertzler, Pons, Young, Rose
No:	None
Absent:	Friend, McBeth and Smith

CONSENT AGENDA

There were no cases on the consent agenda this month.

PUBLIC HEARINGS

PCR #05-009: Request of W-JCC Public Schools for a special use permit to place a second double-wide classroom trailer at Berkeley Middle School, 1118 Ironbound Road and to extend the time limit for the first trailer. The Commission recommended approval of the special use permit and the time limit extension for the first trailer by a vote of 4-0.

Mr. Nester reviewed the memorandum dated April 8, 2005 in which it is noted that the second trailer is needed to accommodate the existing and projected growth in student enrollment at the school. The request is for a four-year period and Mr. Nester said he suggested the extended time period for the first trailer to the same 2009 date as the one proposed for the second trailer. Williamsburg/James City County School representative

Ed Qualtrough, Bruce Abbott with AES Consulting Engineers, and Michael Thornton, Finance Director with the School Division, were present to respond to any questions.

Chairman Young opened the public hearing.

There being no comment the public hearing was closed.

Commission comments included:

- The City of Williamsburg has contributed “moderate” growth to the school enrollment over the past two to three years.
- Regarding the quality of education provided in trailers, Mr. Thornton said the teaching staff likes the new facility. It is the upper grade students at this middle school who are in the trailers and during inclement weather have no problem navigating between the trailer and main building. There is generally positive feedback.
- Long term plan? Will there be a need for a third, fourth and fifth trailer? Mr. Thornton said there is a fourth middle school in the Capital Improvement Plan which is scheduled to be opened in August 2009, but based on current enrollment, the School Division probably will need to come back for an additional trailer next year; it's all contingent on enrollment.
- Mr. Young asked for a comprehensive plan for upcoming additional trailers and Mr. Thornton responded that AES is currently doing a study which will be shared with the Commission.

Mr. Pons moved that the Planning Commission recommend to City Council that the special use permit be approved to allow a second double-wide classroom trailer (two classrooms) at Berkeley Middle School for a four-year period beginning July 1, 2005 and expiring on July 1, 2009 in accordance with the site plan dated 3/7/05 and prepared by AES Consulting Engineers; and that a special use permit be approved to extend the time limit for the first double-wide classroom trailer (PCR #04-006) to July 1, 2009.

Recorded vote on the motion:

Aye:	Hertzler, Pons, Young, Rose
No:	None
Absent:	Friend, McBeth and Smith

PCR #05-010: Amendment of the Zoning Ordinance to create the ED-2 Economic Development District. Allowed are uses such as banks, convenience stores, hotels, medical and dental offices and clinics, retail sales establishments, service stations and theaters. Townhouses and multifamily dwellings are allowed at a density of 12 units per net acre, provided that not more than 40 percent of an ED-2 District is devoted exclusively to residential use. Uses such as manufacture or assembly, retail sales establishments exceeding 100,000 sq.ft. of floor area for an individual tenant, and

warehouses and distribution centers are allowed with a special use permit. These regulations will apply to the proposed High Street development on Richmond Road and Ironbound Road. The Commission tabled making a recommendation to create the ED-2 district by a vote of 3-1.

PCR #05-011: Rezoning of approximately 59 acres at 1424-1446 Richmond Road and 150-176 Ironbound Road (the High Street development) from ED to ED-2. This property is designated as Economic Development and Corridor Commercial land use in the 1998 Comprehensive Plan, which plans for retail, office, service or lodging uses. The Commission tabled a recommendation to rezone the appointed property from ED to ED-2 by a vote of 3-1.

Mr. Nester reviewed the memorandum dated April 8, 2005 regarding PCR #05-010 and PCR #05-011 that would create and rezone property to ED-2. He noted that Roseland Property Company's obligation to close on the purchase of the property proposed to be the High Street project, is conditional on the zoning text change. The newly created ED-2 zoning district would be specifically tailored to the High Street proposal increasing the density from 10 dwelling units per net acre to 12 dwelling units per net acre. This would allow for a more urban development, removing the large "parking field" originally proposed behind the theater, and requiring the construction of a two-level parking terrace adjacent to the commercial portion of High Street. Mr. Nester also noted that the density of 12 dwelling units per net acre in the revised High Street proposal creates a development of significantly different character than the Riverside "Quarterpath at Williamsburg" development, which has a conceptual plan that proposes a residential density of 2.5 units per net acre for the ED portion of the project.

Chairman Young opened the public hearing regarding PCR #05-010.

There being no comment the public hearing was closed.

Chairman Young opened the public hearing regarding PCR #05-011.

There being no comment the public hearing was closed.

Comments from Commissioners and staff included the following:

- What are the pertinent demographics? Would there be age restrictions? Mr. Nester responded that they expect young professionals in the apartments, empty nesters in the townhouses and retirees looking to downsize in the condos. Minimal school age children are expected.
- Possibly the increase in density would tie in with an increase in school enrollment.
- Why were some uses deleted and others not? Basically the uses for the ED district were followed. Although the uses are not tied down at this point, they

could be narrowed down if the Planning Commission prefers. The goal was to have a distinction between this project and the Riverside project.

- Receiving proposals piecemeal is similar to the school division's additional trailer requests; a more comprehensive plan would be helpful.
- This is the third developer for the High Street project and the second time the zoning has been changed in order to obtain the proper mix of uses to make the project work. The proper mix of uses is determined, in part, by the experience of the developer and a larger residential component will be provided if this rezoning is approved. Any major development project like this will be redefined as it progresses. If this project isn't successful, will there be another request to rezone? Mr. Nester said we are moving closer to the point where the actual site plan for the project will be ready for review by the Commission and there is no way anyone can guarantee that in the future there won't be another request for rezoning.
- Concern was expressed about increased traffic with the project and options if traffic problems occur after the contract is signed. A traffic impact study is being updated and will be presented to the Commission once complete.
- Mr. Nester confirmed that the multi-screen cinema is still scheduled to be a major anchor and is considered to be an integral and important part of the project at this point. Mr. Hertzler expressed concern about the theater's continued inclusion since it will compete with the multi-screen cinema in the nearby James City County New Town project.
- Although higher density projects can be beautiful and seem to be the way of the future of our country; adequate comprehensive planning needs to be implemented. Mr. Nester responded that the development will go through the site plan review process and staff is confident at this point that traffic will be worked out satisfactorily.
- Concern was expressed regarding the need to change uses. Mr. Nester stated that because a hospital is being proposed for the Riverside project, it doesn't seem necessary to include *hospital* as a use in the High Street district. Mr. Young stated that uses shouldn't be changed unless there is a reason and that a change in the density may be okay but not a change in uses. It was suggested that if the density is being increased maybe playgrounds and parks should remain by right rather than with a special use permit; 90% of uses could be with a special use permit. Maybe the most intensive uses should require a special use permit.
- City Attorney Phillips clarified that regarding the contract with Roseland, the City cannot contractually agree to rezone anything and although it wouldn't breach the contract if the rezoning were not approved, it may blow the deal.

The public hearing had been closed but Chairman Young gave resident Stuart Hughes, 103 Williamsburg Avenue, approval to comment briefly. Mr. Hughes said the City of Williamsburg is being held hostage in this the third attempt at development of the High Street project. To still allow the anchor cinema seems that we are going down the wrong trail. From the discussion it sounds like this is not the proper fit for the area.

Mr. Pons suggested that more information is needed before a decision can be made on these requests. Mr. Young suggested the two requests be tabled to allow the applicant, the City of Williamsburg, the opportunity to present more detailed information. Mr. Nester noted that as part of the site plan review process, when the actual review of a plan is undertaken, the public utilities and traffic impact analysis are provided.

In response to the comment that once the City sells the property we will no longer have control over it, Mr. Phillips stated that the contract has been very carefully drafted to insure that the City gets what was contracted. City Council can follow Planning Commission's recommendation, or not. Planning Commission has 60 days to make a recommendation and if City Council hasn't received one within that time, the request is considered approved.

Mr. Young moved that both PCR #05-010 and PCR #05-011 be tabled. Mr. Pons seconded the motion which carried by roll call vote of 3-1.

Recorded vote on the motion:

Aye:	Hertzler, Pons, Young
No:	Rose
Absent:	Friend, McBeth and Smith

OPEN FORUM

Chairman Young opened the Open Forum portion of the meeting encouraging comments from the audience on any topic.

There being no comment the Open Forum portion of the meeting was closed.

SITE PLANS AND SUBDIVISIONS - None

OLD BUSINESS

Quarterpath Road

In response to Mr. Pons' question regarding the City Council meeting and the Quarterpath Road issue, Mr. Nester said Council discussed three options at the work session: No building, continue as is; Park/pedestrian/bike \$70,000; Full improvement of road for \$4 1/2 million with full bike/pedestrian access. Council will hold a hearing at their May 12 meeting to gather public comment.

NEW BUSINESS

Design Review Guidelines

Chairman Young announced that City Council has asked that two Planning Commissioners be appointed to serve on a Design Review Guidelines review committee. This committee would also include two members of the Council appointed

by the Mayor and two members of the Architectural Review Board appointed by the ARB Chairman. Mr. Young said he has appointed Commissioner Hertzler and the second committee member is yet to be determined.

OTHER

Work Sessions Scheduled

Work Sessions to review Comprehensive Plan chapter drafts were scheduled for April 25 at 3:00 p.m. and May 9 at 7:00 p.m. Both meetings will be held in the municipal building, third floor conference room. Mr. Nester said the Commission will receive the draft chapters tomorrow afternoon.

INFORMATION ITEMS

Report from City Council
Planning Department Monthly Report
Monthly Financial Statement

There being no further business the meeting adjourned at 4:40 p.m.

PUBLIC HEARINGS SCHEDULED FOR MAY 18, 2005

- PCR #05-012: Request of Walsingham Academy, 1100 Jamestown Road, for a special use permit to construct a 119 space parking lot between the Upper School and Jamestown Road, and to improve the vehicle staging area beside the Lower School. This property is zoned RS-1 Single Family Dwelling District, and is identified as Tax Map No. 552-09-00-A.
- PCR #05-014: Request of Williamsburg United Methodist Church, 514 Jamestown Road, for a special use permit for a 27,795 sq.ft. expansion. The property is zoned RS-2 Single Family Dwelling District, and is identified as Tax Map No. 494-0A-00-012 and 495-0A-00-001,2,3. The expansion will provide additional room for Sunday School and community services, and will upgrade office and restroom facilities. The existing buildings at 500 Jamestown Road and 110 Cary Street will be demolished.

Jesse Young, Chairman
Williamsburg Planning Commission